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Attorneys for Friant Defendants

[Counsel of record listed on Appendix A]

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

NATURAL RESOURCES DEFENSE  
COUNCIL, INC., et al.,

Plaintiffs,

v.

KIRK RODGERS, a Regional Director of  
the UNITED STATES BUREAU OF  
RECLAMATION, et al.,

Defendants.

Case No. S-88-1658-LKK/GGH

**STIPULATION AND ORDER  
REGARDING SUBPOENA FOR  
DOCUMENTS IN A CIVIL CASE  
SERVED UPON THE CALIFORNIA  
DEPARTMENT OF WATER  
RESOURCES AND THE STATE  
RECLAMATION BOARD, NON PARTIES**

Judge: Hon. Lawrence K. Karlton

ORANGE COVE IRRIGATION  
DISTRICT, et al.,

Defendants-Intervenors.

The California Department of Water Resources and the State Reclamation Board (collectively, the "State Agencies") and Defendant Friant Water Users Authority ("Friant") hereby stipulate as follows:

1. Friant has served subpoenas duces tecum on the State Agencies in the case of *Natural Resources Defense Council v. Rodgers*, CIV-S-88- 1658 LKK/GGH. The State Agencies are not parties to the litigation.

2. The State Agencies have expressed concern that the volume of documents potentially responsive to the subpoenas is extensive. The State Agencies have therefore asked, and Friant has agreed, to attempt to narrow the scope of the document requests. Friant and the State Agencies have agreed that their counsel will meet next week to accomplish this task.

3. Friant and the State Agencies have agreed that the time for the State Agencies to respond to the subpoenas shall be extended and the State Agencies do not have to respond to the subpoenas by the dates indicated on the documents. Friant and the State Agencies have agreed that a new response date will be set after counsel meet and confer next week. Friant will make a reasonable attempt to accommodate the State Agencies' request for more time, within the constraints imposed by the December discovery cutoff dates.

4. The parties agree that the State Agencies' time for objecting to the subpoenas, pursuant to Federal Rule of Civil Procedure 45(c)(2)(B), is likewise extended.

Dated: \_\_\_\_\_

BEST BEST & KRIEGER

By: /s/ Jennifer T. Buckman  
Jennifer T. Buckman  
Attorneys for Friant Defendants

Dated: \_\_\_\_\_

BILL LOCKYER, Attorney General  
of the State of California

By: /s/ Anita E. Ruud  
Anita E. Ruud  
Deputy Attorney General  
Attorneys for California Department of  
Water Resources and the State Reclamation  
Board

IT IS SO ORDERED.

Dated: 10/20/05

/s/ Gregory G. Hollows

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Honorable Gregory G. Hollows  
United States Magistrate Judge

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